

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MICHAEL PATRICK BURNETT,)
Plaintiff,)
v.) 1:22-cv-326
OFFICE OF THE SHERIFF,)
SGT. CLARKE, OFFICER BOGNER)
and DIRECTOR OF NURSES,)
Defendants.)

ORDER

On July 21, 2023 the United States Magistrate Judge's Memorandum Opinion and Recommendation ("Recommendation") was filed and notice was served on the parties pursuant to 28 U.S.C. § 636(b). (Docs. 23, 24.) In the Recommendation, the Magistrate Judge recommends that Defendants' motion to dismiss be granted, and that Defendant the Office of the Sheriff and Defendant "Director of Nurses" be dismissed from this action. No objections were filed within the time prescribed by Section 636.

The court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

IT IS THEREFORE ORDERED that the Magistrate Judge's Recommendation, (Doc. 23), is **ADOPTED. IT IS FURTHER ORDERED** that Defendants Sgt. Clarke and Officer Bogner's Motion to

Dismiss, (Doc. 17), is **GRANTED** and that the claims against Defendants are **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that Defendant the Office of the Sheriff and Defendant "Director of Nurses" are **DISMISSED WITHOUT PREJUDICE**, and that this action is hereby **DISMISSED**.

A Judgment dismissing this action will be filed contemporaneously with this Order.

This the 11th day of September, 2023.

William L. Osten, Jr.
United States District Judge